



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** February 26, 2008

**TO:** Mayor and Councilmembers

**FROM:** Engineering Division, Public Works Department

**SUBJECT:** Approval Of Map And Execution Of Agreements For 2553 Mesa School Lane

### RECOMMENDATION:

That Council approve and authorize the City Administrator to execute and record Parcel Map No. 20,743 for a subdivision at 2553 Mesa School Lane, finding the Parcel Map in conformance with the state Subdivision Map Act, the City's Subdivision Ordinance, and the Tentative Subdivision Map, and other standard agreements relating to the approved subdivision.

### DISCUSSION:

A Tentative Map for a subdivision located at 2553 Mesa School Lane (Attachment 1) was conditionally approved on July 20, 2006, by adoption of the Planning Commission's (PC) Conditions of Approval, Resolution No. 033-06 (Attachment 2). The project involves the creation of a two-lot subdivision. One lot would contain the existing residence and an additional dwelling unit, and the other lot would remain undeveloped at this time.

In accordance with the PC's approval, the Owner has signed and submitted the Parcel Map and the subject Agreements to the City, tracked under Public Works Permit No. PBW2006-01633. It is necessary that Council approve the Parcel Map since it conforms to all the requirements of the Subdivision Map Act and the Municipal Code applicable at the time of approval of the Tentative Map (Municipal Code, Chapter 27.09.060).

Staff recommends that Council authorize the City Administrator to execute the subject *Agreement Relating to Subdivision Map Conditions Imposed on Real Property* and *Agreement for Land Development Improvements*, and to authorize the Public Works Director to record a "removal" document once the public improvements are completed in accordance with the Agreement.

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REVIEWED BY: \_\_\_\_\_ Finance \_\_\_\_\_ Attorney

Agenda Item No. \_\_\_\_\_

The *Agreement Assigning Water Extraction Rights* is being processed concurrently with this Council Agenda Report, but will be signed by the Public Works Director in accordance with City Council Resolution No. 02-131.

**THE PARCEL MAP IS AVAILABLE FOR REVIEW, BOTH IN THE CITY CLERK'S OFFICE AND THE MAYOR AND COUNCIL'S OFFICE.**

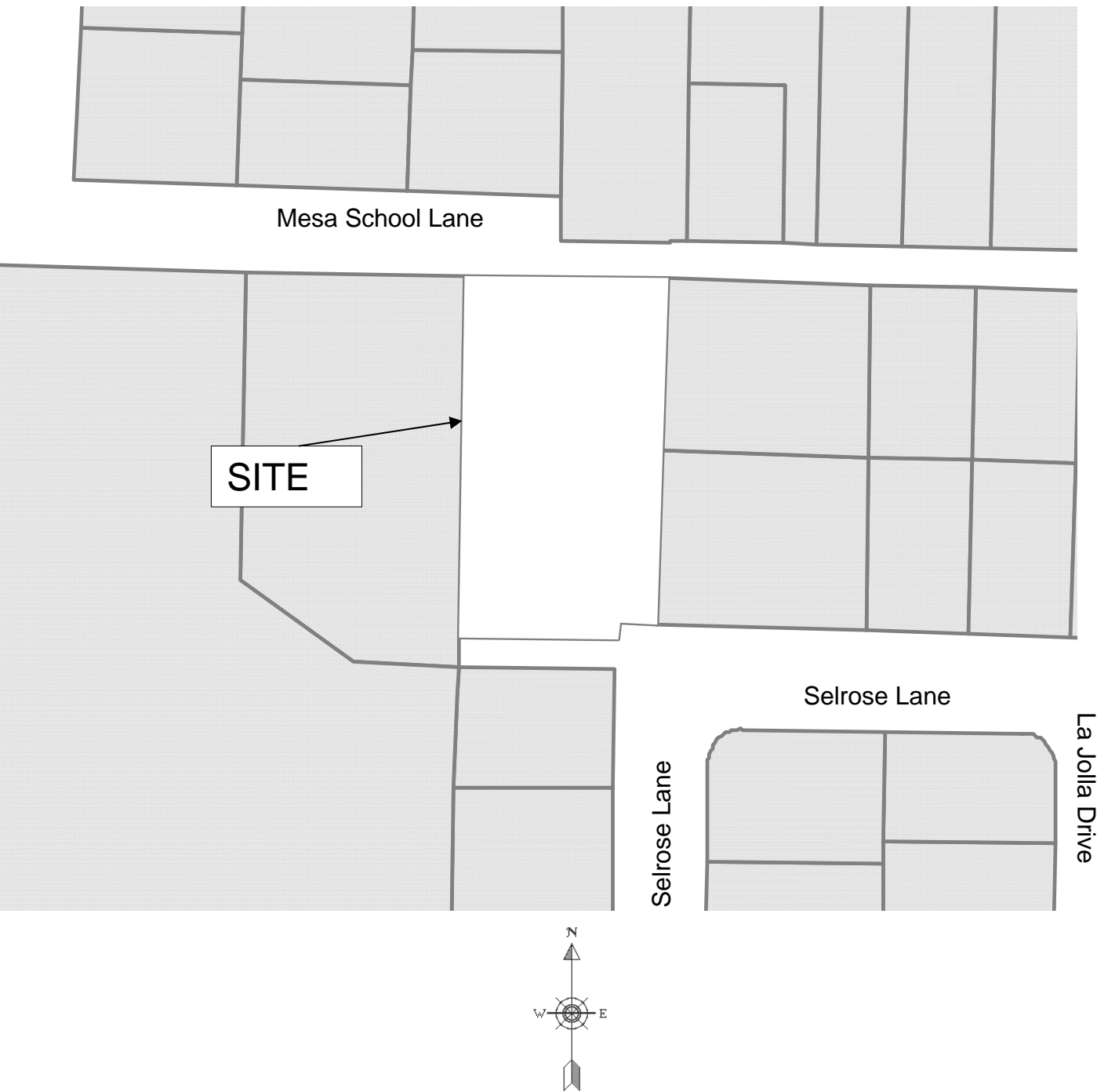
**ATTACHMENT(S):** 1. Vicinity Map  
2. Conditions that are required to be recorded concurrent with Parcel Map No. 20,743 by the Planning Commission Conditions of Approval, Resolution No. 033-06, July 20, 2006

**PREPARED BY:** Homer F. Smith II, Principal Engineer/VJ/kts

**SUBMITTED BY:** Paul Casey, Acting Public Works Director

**APPROVED BY:** City Administrator's Office

Vicinity Map  
2553 Mesa School Lane



Not to Scale

**CONDITIONS THAT ARE REQUIRED TO BE RECORDED CONCURRENT WITH PARCEL  
MAP NO. 20,743 BY PLANNING COMMISSION CONDITIONS OF APPROVAL,  
RESOLUTION NO. 033-06  
2553 Mesa School Lane**

Said approval is subject to the following conditions:

- A. **Recorded Agreement.** Prior to the issuance of any Public Works permit or Building permit for the project on the Real Property, the Owner shall execute an "Agreement Relating to Subdivision Map Conditions Imposed on Real Property", which shall be reviewed as to form and content by the City Attorney, Community Development Director and Public Works Director, recorded in the Office of the County Recorder, and shall include the following:
1. **Uninterrupted Water Flow.** The Owner shall provide for the uninterrupted flow of water through the Real Property including, but not limited to, swales, natural water courses, conduits and any access road, as appropriate. The Owner is responsible for the adequacy of any project-related drainage facilities and for the continued maintenance thereof in a manner that will preclude any hazard to life, health or damage to the Real Property or any adjoining property.
  2. **Recreational Vehicle Storage Limitation.** No recreational vehicles, boats or trailers shall be stored on the Real Property unless enclosed or concealed from view as approved by the Architectural Board of Review (ABR).
  3. **Landscape Plan Compliance.** The Owner shall comply with the Landscape Plan approved by the Architectural Board of Review (ABR). Such plan shall not be modified unless prior written approval is obtained from the ABR. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan.
  4. **Development Rights Restrictions.** The Owner shall not make any use of the restricted portion of the Real Property as designated on the approved Tentative Subdivision Map in order that those portions of the Real Property remain in their natural state to protect existing trees and surrounding development. These restrictions include, but are not limited to, the right to develop the restricted portions with any grading, irrigation, buildings, structures or utility service lines. The restricted areas shall be shown on the Final Map. The Owner shall continue to be responsible for (i) maintenance of the restricted area, and (ii) compliance with orders of the Fire Department. Any brush clearance shall be performed without the use of earth moving equipment.
  5. **Approved Development.** The development of the Real Property approved by the Planning Commission on July 20, 2006 is limited to 2 lots, an additional dwelling unit not to exceed 750 square feet on Parcel 1, a new garage, and the improvements shown on the Tentative Subdivision Map signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara.
  6. **Required Private Covenants.** The Owners shall record in the official records of Santa Barbara County either private covenants, a reciprocal easement agreement, or a similar agreement which, among other things, shall provide for all of the following:
    - a. **Garages Available for Parking.** A covenant that includes a requirement that all garages be kept open and available for the parking of vehicles owned by the residents of the property in the manner for which the garages were designed and permitted.
    - b. **Landscape Maintenance.** A covenant that provides that the landscaping shown on the approved Landscaping Plan shall be maintained and preserved at all times in accordance with the Plan.
    - c. **Trash and Recycling.** Adequate space shall be provided and maintained for trash and recycling purposes.
    - d. **Covenant Enforcement.** A covenant that permits each owner to contractually enforce the terms of the private covenants, reciprocal easement agreement, or similar agreement required by this condition.
  7. **Lighting.** Exterior lighting, where provided, shall be consistent with the City's Lighting Ordinance and most currently adopted Energy Code. No floodlights shall be allowed. Exterior lighting shall be shielded and directed toward the ground.
  8. **Oak Tree Protection.** The existing oak tree(s) shown on the Tentative Subdivision Map shall be preserved, protected and maintained. The following provisions shall apply to any oak trees to remain on the property:
    - a. No irrigation systems shall be installed within the drip line of any oak tree.
    - b. The use of herbicides or fertilizer shall be prohibited within the drip line of any oak tree.
  9. **Street Tree Protection.** The street trees within the City's right-of-way shall be preserved and protected.
  10. **Storm Water Pollution Control Systems Maintenance.** The Owner(s) shall maintain the drainage system, storm drain water interceptor and other storm water pollution control devices in accordance with the Operations and Maintenance Procedure Plan approved by the Building Official and/or the Public Works Director.